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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

HOSEA WILLIAMS,)	CASE NO. 1:07 CV 14
)	
Petitioner,)	JUDGE DAVID A. KATZ
)	
v.)	
)	<u>OPINION AND ORDER</u>
STUART HUDSON,)	
)	
Respondent.)	

On February 9, 2007, petitioner pro se Hosea Williams filed an amended petition for writ of habeas corpus under 28 U.S.C. § 2254 in the above-captioned case. Williams is incarcerated at the Mansfield Correctional Institution, having pleaded guilty to felonious assault on a peace officer, with specifications, and having a weapon under disability. For the reasons stated below, the petition is denied and this action is dismissed.


A federal court may entertain a habeas petition filed by a person in state custody only on the ground that he is in custody in violation of the Constitution, laws, or treaties of the United States. 28 U.S.C. § 2254(a). In addition, petitioner must have exhausted all available state remedies. 28 U.S.C. § 2254(b).

Petitioner raises four grounds for relief. Without regard to the potential merits of these grounds, it is evident on

the face of the petition that they have yet to be raised and exhausted in the Ohio courts. The petition is thus premature.

Accordingly, the request to proceed in forma pauperis is granted, and this action is dismissed without prejudice pursuant to Rule 4 of the Rules Governing Section 2254 Cases. Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis on which to issue a certificate of appealability. Fed.R.App.P. 22(b); 28 U.S.C. § 2253.

IT IS SO ORDERED.



DAVID A. KATZ
UNITED STATES DISTRICT JUDGE

